

ESTTA Tracking number: **ESTTA684191**

Filing date: **07/16/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	RANDALL PICH		
Entity	Individual	Citizenship	UNITED STATES
Address	2248 OBISPO AVENUE SUITE 210 SIGNAL HILL, CA 90755 UNITED STATES		

Attorney information	JIMMY Y. KWUN CHRISTIE, PARKER & HALE, LLP P.O. BOX 29001 GLENDALE, CA 91209 UNITED STATES PTO@CPH.COM Phone:(626) 795-9900
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### Applicant Information

Application No	86332976	Publication date	06/16/2015
Opposition Filing Date	07/16/2015	Opposition Period Ends	07/16/2015
Applicant	Zuniga, Josh 2150 W Alameda Rd Phoenix, AZ 85085 UNITED STATES		

### Goods/Services Affected by Opposition

Class 025. First Use: 2014/07/08 First Use In Commerce: 2014/07/09


All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	4324102	Application Date	08/30/2012
Registration Date	04/23/2013	Foreign Priority Date	NONE
Word Mark	LVFT		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2011/05/17 First Use In Commerce: 2011/07/01 Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms

Attachments	85717384#TMSN.png( bytes ) L662-Opposition.PDF(93364 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/JIMMY Y. KWUN/
Name	JIMMY Y. KWUN
Date	07/16/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of trademark application **Serial No. 86/332,976**

For the mark LVLFF

Published in the Trademark *Official Gazette* on June 16, 2015

Randall Pich	Opposer,	Opposition No.
v.		NOTICE OF OPPOSITION
Josh Zuniga	Applicant.	

Randall Pich (herein after "Opposer"), an individual whose address is 2248 Obispo Ave. Suite 210, Signal Hill, California 90755, believes that he will be damaged by registration of the mark shown in application Serial No. 86/332,976 (hereinafter "Applicant's mark") in International Class 25, and hereby opposes its registration.

As grounds for opposition, Opposer alleges that:

1. Since prior to Applicant's priority date, Opposer, through his predecessors and related companies, have been continuously engaged in the manufacture and sale of a wide variety of apparel and fashion related products, including athletic apparel.

2. Since prior to Applicant's priority date, Opposer has continuously used in commerce the mark "LVFT" in connection with the sale of a wide variety of apparel and fashion related products, including athletic apparel.

3. Opposer is the owner of U.S. Registration No. 4,324,102 of the mark LVFT issued on April 23, 2013 on the Principal Register in relation to athletic apparel in Class 25. Attached hereto as Exhibit 1, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration. Said registration is valid and subsiding.

4. Through Opposer's widespread use and advertising of his LVFT mark over a long period of time and by virtue of the quality of the goods and services sold and rendered in connection with the LVFT mark, Opposer has built up valuable goodwill and reputation in connection with the LVFT mark, which would be jeopardized by Applicant's use and registration of the mark LVLF.

5. Applicant's goods in class 25 for which it seeks to register the mark LVLF are identical or closely related in nature to the apparel and other fashion products previously sold by Opposer under his LVFT mark.

6. Applicant's mark LVLF so resembles Opposer's LVFT mark, previously used in commerce and registered with the United States Patent and Trademark Office by Opposer and not abandoned, as to be likely, when applied to the goods of Applicant in class 25, to cause confusion or to cause mistake or to deceive.

7. Opposer is informed and believes that Applicant adopted its LVLf mark with knowledge of Opposer's LVFT mark with the intention of trading upon Opposer's goodwill.

8. Opposer is informed and believes that Applicant did not make use of the mark LVLf in commerce for the goods in Class 25 in application Serial No. 86/332,976, prior to its stated first use date of July 8, 2014.

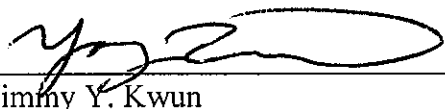
WHEREFORE, Opposer prays that application Serial No. 86/332,976 be refused and that this opposition be sustained.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date July 16, 2015

By



Jimmy Y. Kwun  
Attorneys for Opposer  
P.O. Box 29001  
Glendale, California 91209-9001  
626/795-9900

# EXHIBIT 1

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Docket No. 110.2\*1/L662

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# LVFT

Word Mark	LVFT
Goods and Services	IC 025. US 022 039. G & S: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms. FIRST USE: 20110517. FIRST USE IN COMMERCE: 20110701
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85717384
Filing Date	August 30, 2012
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	February 5, 2013
Registration Number	4324102
Registration Date	April 23, 2013
Owner	(REGISTRANT) PICH, RANDALL V DBA LVFT INDIVIDUAL UNITED STATES 2600 E anaheim st Long Beach CALIFORNIA 90804
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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**Docket No. 110.2\*1/L662**

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Docket No. 110.2\*1/L662

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**CERTIFICATE OF SERVICE**

It is certified that on July 16, 2015, the foregoing **NOTICE OF OPPOSITION** is being served by mailing a copy thereof by first-class mail addressed to:

Josh Zuniga  
2150 W. Alameda Road  
Phoenix, Arizona 85085

By



Marian M. Liu  
Christie, Parker & Hale, LLP  
P.O. Box 29001  
Glendale, California 91209-9001  
626/795-9900

JYK/mml

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